

PATENT
Atty. ref. HU001c0nUSb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

HUMBEL

Appl no.: **10/521,224**

Filed: **July 14, 2003 (int'l appl. date)**

For: **AUTHORIZATION, DETERMINATION,
DESIGNATION, LOCATION, LOCKING
AND THEFT-SECURITY SYSTEM**

Group art unit: **Unknown**

Examiner: **Unknown**

COMMUNICATION ACCOMPANYING 35 U.S.C. § 371 SUBMISSION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The accompanying Transmittal Letter references this document as being a portion of the first submission of items required by 35 U.S.C. § 371.

➤ **Remarks begin on page 2 of this submission.**

REMARKS

The application as filed included a Preliminary Amendment. That document, for purposes of establishing the number of claims on which the filing fee in the initial Transmittal Letter was calculated, canceled all but claim 1. That action was taken without prejudice, and Applicant reserved the right to represent some or all of the canceled claims.

This Communication accompanies a second submission. The second submission includes *inter alia* a power of attorney, a declaration, and an English language translation of the German-language specification as filed. Because the translation is of the application as *filed*, it *appears* to include 76 claims. However, in view of the previously submitted Preliminary Amendment, only claim 1 is believed to be pending.

Applicant does not intend for claims 2-76 to be considered pending at this time. They are included in the translation document for purposes of complying with the requirement of a translation of the application as filed.

Inquiries concerning this submission should be directed to the attention of the undersigned.


Respectfully submitted,



David G. Burleson, Reg. No. 38,090
Attorney for Applicant

February 23, 2005

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P.O. Box 2368
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phone: 330/526-0104, x2
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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. § 371		ATTORNEY DOCKET NUMBER HU001c0nUSb
INTERNATIONAL APPLICATION NO. PCT/IB2003/002809	INTERNATIONAL FILING DATE 14 July 2003	U.S. APPLICATION NO. (if known, see 37 C.F.R. § 1.5) 10/521,224
TITLE OF INVENTION AUTHORIZATION, DETERMINATION, DESIGNATION, LOCATION, LOCKING AND THEFT-SECURITY SYSTEM		PRIORITY DATE CLAIMED 13 July 2002
APPLICANT(S) FOR DO/EO/US ROGER HUMBEL		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. § 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. § 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is included herewith (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. § 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is included herewith. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. § 154(d)(4). 		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are included herewith (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement (see 37 C.F.R. §§ 1.97 and 1.98).		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet (see 37 C.F.R. § 1.76).		
15. <input type="checkbox"/> A substitute specification.		
16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. §§ 1.821 - 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. § 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. § 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information: return receipt postcard, Communication, form PTO-2038		
Certificate of Express Mailing		
<input checked="" type="checkbox"/> Under 37 C.F.R. § 1.10, I certify that all documents referenced herein are being deposited, on the date indicated below, with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.		
Express Mail Mailing Label No. ED 587488923 US	Signature of Person Making Certification 	
Date of Deposit 23 February 2005	Printed Name of Person Making Certification David G. Burleson	

SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

U.S. APPLICATION NO. (if known, see 37 C.F.R. § 1.5) 10/521,224		INTERNATIONAL APPLICATION NO. PCT/IB2003/002809		ATTORNEY DOCKET NUMBER HU001c0nUSb	
21. The following fees are submitted				Applicant use	Office use only
<input type="checkbox"/> a) Basic national fee		\$300.00		\$ 0.00	
<input type="checkbox"/> b) Examination fee		\$200.00		\$ 0.00	
<input type="checkbox"/> c) Search fee		\$500.00		\$ 0.00	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/ 50 =		× \$250.00	\$ 0.00	
<input checked="" type="checkbox"/> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	1 - 20 =	0	× \$50.00	\$ 0.00	
Independent claims	1 - 3 =	0	× \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			× \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 50%.					
SUBTOTAL =				\$ 65.00	
<input checked="" type="checkbox"/> Processing fee of \$130.00 for furnishing the English language translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).				\$ 130.00	
TOTAL NATIONAL FEE =				\$ 195.00	
<input type="checkbox"/> Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment is accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28 and 3.31). \$40.00 per property.				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 195.00	
			Amount to be refunded	XXXXXXXXXXXXXXXXXXXX	\$
			Amount to be charged	XXXXXXXXXXXXXXXXXXXX	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> The fees are to be charged to a credit card. Credit card information should not be included on this form. Provide credit card information and authorization on form PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 C.F.R. § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Zollinger & Burleson Ltd. P.O. Box 2368 North Canton, Ohio 44720</p> <p>phone: 330 / 526-0104, x2 fax: 866 / 311-9964</p>					
			<p><i>David G. Burleson</i> SIGNATURE DAVID G. BURLESON NAME 38,090 REGISTRATION NUMBER</p>		

Based on FORM PTO-1390 (rev. 12-2004)